

REMARKS

This Amendment is fully responsive to the non-final Office Action dated April 13, 2009, issued in connection with the above-identified application. Claims 1-16 were previously pending in the present application. With this Amendment, claims 2, 4, 10 and 15 have been amended; claims 1, 14 and 16 have been canceled without prejudice or disclaimer to the subject matter therein; and claims 17 and 18 have been added. No new matter has been introduced by the amendments made to the claims, or by the new claims added. Favorable reconsideration is respectfully requested.

In the Office Action, the Examiner objects to the Applicants' claim for foreign priority. Specifically, the Examiner indicates that the Applicants have not filed a certified copy of the foreign priority document, as required by 35 U.S.C. 119(b). However, the Applicants respectfully point out that the present application is a national stage application of application filed under the Patent Corporation Treaty (PCT). Therefore, the certified copy of the priority document was already filed with the international bureau (IB) as indicated by PCT/IB/304 form, which was submitted at the time of filing the PCT application. Therefore, the Applicants should not be required to re-submit a certified copy of the priority document. Accordingly, withdrawal of the objection to the Applicants' claim for foreign priority is now respectfully requested.

In the Office Action, claim 16 has been rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. In particular, the Examiner indicates that the claim recites a program that does not fall within one of the four enumerated categories of patentable subject matter. Independent claim 16 has been canceled thereby rendering the above rejection to that claim moot. Additionally, new program claim 18 indicates that the program is "stored on a computer-readable storage medium." Accordingly, withdrawal of the rejection to claim 16 under 35 U.S.C. 101 is now respectfully requested.

In the Office Action, claims 2-13 have been objected to but would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. The Applicants have rewritten claims 2, 4 and 10 in independent form, as suggested by the Examiner. Additionally claim 3 depends from claim 2 (now rewritten in independent form);

claims 5-9 depend (directly or indirectly) from claim 4 (now rewritten in independent form); and claims 11-13 depend (directly or indirectly) from claim 10 (now rewritten in independent form). Withdrawal of the objection to claims 2-13 is now respectfully requested.

In the Office Action, claims 1 and 14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kristofer (International Application WO 2003-046891) in view of the Applicants' Admitted Prior Art. The Applicants have canceled claims 1 and 14 thereby rendering the above rejections to those claims moot.

Additionally, as noted above, the Examiner indicates that claims 2-13 have been objected to but would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. The Applicants have rewritten claims 2, 4 and 10 in independent form, as suggested by the Examiner. Claims 2, 4 and 10 depend directly from independent claim 1. Therefore, claim 2 has been rewritten to include the features of claim 1; claim 4 has been rewritten to include the features of claim 1; and claim 10 has been rewritten to include the features of claim 1.

Accordingly, claims 1, 4 and 10 (as amended) are believed to be distinguished from the cited prior art without any additional comment being necessary. Additionally claim 3 depends from claim 2 (now rewritten in independent form); claims 5-9 depend (directly or indirectly) from claim 4 (now rewritten in independent form); and claims 11-13 depend (directly or indirectly) from claim 10 (now rewritten in independent form). Therefore, claims 3, 5-9 and 11-13) are believed to be distinguished from the cited prior art at least by virtue of their respective dependencies from independent claims 1, 4 and 10.

Additionally, claim 15 is a method claim corresponding to the coding equipment of claim 4, which includes allowable subject matter. Claim 15 has been rewritten to include the limitations of claim 14. Therefore, claim 15 (as amended) is also believed to be distinguishable over the cited prior art for similar reasons noted above for claim 4.

Finally, new method and program claims 17 and 18 correspond to claim 2 (as amended). Claim 2 has been indicated as including allowable subject matter. Therefore, new claims 17 and 18 are also believed to be distinguishable over the cited prior art for similar reasons noted above for claim 2 (as amended).

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the outstanding Office Action, and pass the present application to issue. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

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